

**ASSEMBLY BILL**

**No. 1006**

**Introduced by Assembly Member Jackson**

February 23, 2001

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An act to amend Section 69995 of the Government Code, relating to court reporters.

LEGISLATIVE COUNSEL'S DIGEST

AB 1006, as introduced, Jackson. Court reporters: Ventura County.

Existing law regulates the appointment, certain conditions of employment, remuneration, and benefits of official court reporters in Ventura County. Existing law exempts the official reporters from the civil service system of employees of the court and fixes their salary at a 5-step salary range with biweekly amounts equivalent to 90% of the corresponding steps in the established salary range for official superior court reporters in Los Angeles County. The salary for the senior court reporter in Ventura County is set at 10% above the biweekly salary steps specified for official superior court reporters. Existing law provides that the salary range of these court reporters may be adjusted by joint action and approval of the board of supervisors and a majority of the judges of the superior court, and must be ratified by the Legislature, as specified, or expire. Existing law provides that these court reporters are entitled to all benefits provided for the employees of the county, and that other specified compensation may be provided.

This bill would, in Ventura County, remove the exemption of official reporters from the civil service system of employees of the court. The bill would change the salary structure of the official court reporters to provide that they may not be paid less than the official superior court reporters in Los Angeles County, and would remove specified limits on

initial hiring salary rates. This bill would provide that the salary range of official court reporters may be adjusted by a majority of the judges of the superior court without the action and approval of the board of supervisors, and would not require legislative ratification. The bill would provide that all compensation, fees, and benefits for official and pro tempore superior court reporters shall be provided by law or memorandum or understanding. The bill would make related changes. This bill would also make clarifying changes to reflect trial court restructuring under Article VI of the California Constitution.

By expanding an existing program regarding labor negotiations with employees of the court, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 69995 of the Government Code is  
2 amended to read:  
3 69995. (a) In Ventura County, a majority of the judges of the  
4 superior court may appoint as many competent official  
5 phonographic reporters as the business of the superior court  
6 requires, ~~and as required to provide court reporting service to the~~  
7 ~~municipal court of the county as provided in subdivision (c).~~ The  
8 court may additionally employ as many pro tempore phonographic  
9 reporters as may from time to time be required to supplement the  
10 services of the official court reporters. The court may further  
11 appoint one of the official court reporters to serve as senior



1 superior court reporter to coordinate and supervise the activities of  
2 official and pro tempore court reporters.

3 ~~Official reporters of the superior court shall be exempt from the~~  
4 ~~provisions of any civil service system as employees of the court.~~  
5 ~~They shall serve at the pleasure of a majority of the judges thereof,~~  
6 ~~subject to such court rules and policy as may be adopted by the~~  
7 ~~judges for regulation of superior court personnel. Official~~

8 *Official* and pro tempore superior court reporters shall provide  
9 court reporting services for ~~such~~ departments of the superior court  
10 ~~and divisions of the municipal court, for such~~ criminal, juvenile,  
11 and civil proceedings, and proceedings before the grand jury, as  
12 directed by the presiding judges of the respective courts, ~~subject~~  
13 ~~to the provisions of this section~~ *judge*.

14 (b) The salary paid to official full-time superior court reporters  
15 for services in reporting any and all testimony and proceedings in  
16 the superior ~~and municipal courts~~ *court* and before the grand jury,  
17 ~~shall be a five-step salary range with biweekly amounts equivalent~~  
18 ~~to ninety percent (90%) of the corresponding steps in the~~  
19 ~~established salary range for~~ *may not be less than that paid to*  
20 official superior court reporters in Los Angeles County. ~~The initial~~  
21 ~~hiring rate for official superior court reporters shall be the first step~~  
22 ~~of the salary range, and subsequent increases within the range shall~~  
23 ~~be at intervals of six months from the first to second step, and one~~  
24 ~~year between each succeeding step, as determined by the court,~~  
25 ~~based on satisfactory performance. Nothing herein shall prohibit~~  
26 ~~the initial appointment or subsequent elevation of a reporter's~~  
27 ~~salary from the steps herein specified, as may be determined by the~~  
28 ~~court on the basis of experience, qualifications and meritorious~~  
29 ~~performance.~~ The salary of the official court reporter who is  
30 appointed to serve as senior superior court reporter, shall be fixed  
31 at ten percent (10%) above the ~~biweekly top salary steps specified~~  
32 for official superior court reporters.

33 The salary range of official court reporters may be adjusted by  
34 ~~joint action and approval of the board of supervisors and a majority~~  
35 ~~of the judges of the superior court. Such changes in compensation~~  
36 ~~made pursuant to this provision shall be on an interim basis and~~  
37 ~~shall expire January 1 following adjournment of the next regular~~  
38 ~~session of the Legislature unless ratified at such session.~~

39 The per diem compensation for pro tempore reporters serving  
40 the superior ~~or municipal~~ court or the grand jury shall be

1 established at one-tenth ( $1/10$ ) of the top step in the biweekly salary  
2 range established for official superior court reporters, for each day  
3 of service or any portion thereof.

4 ~~Official reporters of the superior court shall be entitled to all~~  
5 ~~benefits provided for the employees of the county, including, but~~  
6 ~~not limited to, participation in county retirement plans, vacation,~~  
7 ~~holiday and sick leave benefits, and insurance plans. These~~  
8 ~~benefits shall also include the same lump-sum payments for~~  
9 ~~benefit accrual balances upon separation from service, as are made~~  
10 ~~to employees of the county. All other~~

11 *All compensation, fees, and benefits for official and pro tempore*  
12 *superior court reporters shall be as elsewhere provided by law or*  
13 *memorandum of understanding.*

14 ~~(c) Upon request of the Presiding Judge of the Municipal Court~~  
15 ~~of Ventura County, official and pro tempore reporters of the~~  
16 ~~superior court shall act as pro tempore reporters in the municipal~~  
17 ~~court in all proceedings of the municipal court where their services~~  
18 ~~may be required. Official superior court reporters who are~~  
19 ~~assigned to serve as pro tempore municipal court reporters under~~  
20 ~~this provision, shall receive no additional compensation for such~~  
21 ~~services, and pro tempore superior court reporters who are~~  
22 ~~assigned to serve as pro tempore municipal court reporters shall~~  
23 ~~not receive compensation in excess of one per diem fee for service~~  
24 ~~in either or both of such courts on any single court day. Requests~~  
25 ~~to provide the municipal court with the services of superior court~~  
26 ~~reporters shall be directed to either the presiding judge or the~~  
27 ~~executive officer of the superior court by either the presiding judge~~  
28 ~~or the executive officer of the municipal court, and shall be~~  
29 ~~effective only during the pleasure of the judges of both courts, a~~  
30 ~~majority of the judges of each court concurring.~~

31 SEC. 2. Notwithstanding Section 17610 of the Government  
32 Code, if the Commission on State Mandates determines that this  
33 act contains costs mandated by the state, reimbursement to local  
34 agencies and school districts for those costs shall be made pursuant  
35 to Part 7 (commencing with Section 17500) of Division 4 of Title  
36 2 of the Government Code. If the statewide cost of the claim for  
37 reimbursement does not exceed one million dollars (\$1,000,000),

- 1 reimbursement shall be made from the State Mandates Claims
- 2 Fund.

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